Responsible Retailing Practices for On-Premises Alcohol Serving Establishments

Outline

Executive Summary

Purpose:

This report is an examination of Responsible Retailing practices for on-premises alcohol beverage establishments. Responsible Retailing (RR) is a term which includes the policies and practices that guard against unlawful alcohol sales—such as sales to minors, to individuals who might in turn furnish alcohol to minors (3rd-party sales), and over-service to intoxicated individuals. Effective RR may thus protect the health and safety of customers, staff, and the community while also reducing the risk of penalties for licensees and its staff and the legal liabilities associated with alcohol-related accidents and injuries. The report has been prepared to assist licensed establishments—and the trade associations and law enforcement, regulatory, public health, and prevention agencies that work with licensed establishments—in promoting compliance with alcohol sales laws and improved relationships between retailers and these other stakeholders.

This report extends an earlier study prepared in 2002 for SAMHSA's Center for Substance Abuse Prevention, *Report on Best Practices for Responsible Retailing (CSAP Report)*. The *CSAP Report*, whose focus was primarily upon preventing underage sales, was oriented towards off-premises licensees and does not adequately address the unique challenges of on-premises licensees. For establishments that serve alcohol, preventing underage sales and use is not so simple as a single clerk checking an ID to determine age and authenticity. These establishments may have multiple individuals involved in checking IDs and in pouring and serving alcoholic beverages. Beverages legally served to an adult may be given to or shared with underage companions. And on-premises establishments must also prevent over-service and be attentive to customers whose intoxication represents a danger to themselves and others.

This report has been prepared by a diverse group of experts working under the auspices of the National Alcohol Beverage Control Association (NABCA) and the Responsible Retailing Forum (RRF). These experts—representing licensed establishments, distributors, producers, state regulators, training organizations and research institutions—canvassed a wide number of chains, independent licensees, state regulators that provide RR programs or resources, and training organizations to identify RR practices and policies currently in use. The work group has identified prevalent practices that are used widely as well as noteworthy practices that offer the potential to raise RR performance.

The central findings:

- ➢ RR is a *continuing system* consisting of hiring and training practices, point-of-sale protocols, employee policies, supervisory procedures, safety and security measures, and relationships with community stakeholders:

- ➢ RR is first and foremost a management responsibility.

- ➢ RR training begins in the hiring process when the licensee first establishes the importance placed upon RR and determines the suitability of the applicant to uphold the licensee's RR policies

- ➢ Server training provides staff with the knowledge of the alcohol laws and the licensee's policies to comply with these laws and the skills to engage customers in a non-

confrontational manner. Server training is an integral and indispensable part of effective RR. But server training of wait staff, bartenders and front door staff is only one component of effective RR.

➢ Licensed establishments play an important role in the social and economic life of a community. But because of the unique nature of alcohol and its effects upon the human body, serving establishments that do not follow RR practices can pose a high risk. Security practices and policies should be a major concern to owners and managers of on-premises establishments as well as to the communities they serve.

➢ Licensees should take advantage of opportunities to interact with communities stakeholders—especially coalitions that address issues of underage alcohol sales and use, over-service and the problems associated with alcohol abuse—to better connect with citizens and their licensing boards and to be regarded as part of the "solution" than merely as the "problem."

Section 1 Purpose of This Report

Purpose of Report:

This Report, *Responsible Retailing Practices for On-Premises Alcohol Serving Establishments*, is intended to assist licensees achieve and sustain consistently high levels of Responsible Retailing (RR) performance by those who work in alcohol-service establishments. The Report is a tool that can be used by alcohol regulators, law enforcement, public health and prevention agencies, and by retailers, their associations and distributors to help licensees identify practices that can reduce the sale or service of alcohol to under 21 individuals and intoxicated customers and promote a safe and secure environment for staff, customers and the community.

Context:

In March 2002, a *Report on Best Practices for Responsible Retailing*[1] was presented to the federal government as a guidance document to establish the "state of the art" of preventing under 21 sales of age-restricted products. Although the report had been commissioned by the Center for Substance Abuse Prevention of the Substance Abuse and Mental Health Services Administration, US HHS, to assist states achieve the tobacco retailer compliance targets imposed upon them by the federal Synar Regulations, the report was intended to address RR for all age-restricted products. In fact, the diverse committee that produced the report—consisting of federal and state health agents, law enforcement, retailers and their associations, advocates and researchers—soon realized that alcohol stakeholders had a greater range and depth of experience in under 21 alcohol sales prevention than tobacco stakeholders and the perspectives of these alcohol stakeholders significantly shaped the report.

The 2002 Report made three contributions to the field of RR:

1.   RR is not merely a policy to refuse sales to under 21 or intoxicated customers. Instead, RR should be seen as a continuous system consisting of distinct components—hiring, training, point-of-sales practices, employee and supervisory policies—whose additive effects produce high RR conduct.

2.   RR is a management responsibility: almost every task associated with a comprehensive RR system falls under the manager's job responsibilities. To remain effective, a RR system must be managed and measured.

3.   RR performance can best be achieved through a collaborative approach—based upon principals of Community Policing—that links regulators, law enforcement and public health and safety stakeholders with retailers and their associations, distributors and suppliers in a problem-solving approach to address the actual problems of under 21 sales in their communities.

It became apparent, however, that the Report—though quite comprehensive for retailers selling alcohol for off-premises consumption—did not adequately address the additional and complex problems faced by on-premises establishments. In restaurants, taverns and clubs, multiple personnel and multiple points-of-service may be involved rather than a single point-of-sale. Staff must not only verify age and refuse service to customers under the age of 21, they must also guard against customers underage being served alcohol by their own friends and companions.

On-premises establishments must additionally monitor:
- Alcohol consumption
- Responsible service
- Service to habitually addicted persons
- Patrons who have over-consumed

It was therefore determined that a separate report needed to be conducted to identify responsible retailing practices for on-premises locations.

On-Premises Report:

The on-premises report has been produced as a joint project of the National Alcohol Beverage Control Association (NABCA) and the Responsible Retailing Forum and its many partners. The process of producing this report has followed a similar process used in the production of the off-premises report. A work group consisting of regulators, licensees and their associations, brewers, distributors, server training providers and researchers has overseen the development of this report (See Appendix for the work group members). In its first meeting, the work group members identified the areas of licensee practice that would be examined as well as additional members who might be added to insure inclusive representation and perspectives. The committee canvassed stakeholders involved in RR and developed 6 distinct surveys—for Hiring; Training; Point-of-Sales Practices (Training and Point-of-Sales Practices were later combined); Supervisory Practices; Safety and Security; and Community Relations—and invited stakeholders to complete the appropriate surveys online through a link provided by NABCA. The surveys were not intended to accurately characterize current licensee RR practices: a vastly larger number of respondents in each of the many segments of the market would have been needed to represent with any degree of accuracy what licensees are doing. Rather, the surveys were intended to identify the types of practices in place by respondents.

The surveys were distributed to retailers, providers of server training programs and alcohol regulators. Stakeholders completed one or more surveys. The training survey received the largest number of responses. Hiring, Safety and Security and Community Relations received the smallest number of responses. One of two committees (members are listed in the Appendix) then reviewed all the responses for a particular survey and on the basis of this developed a report that identified:

- **Prevalent Practices**: Practices that were in place for most or all of the respondents.

- **Noteworthy Practices:** Practices not commonly in use that appeared to offer promise of effectiveness .

- **Discussion Issues**: Issues that emerged from the range of survey responses and questions whose formal examination may benefit the field.

A draft report was then circulated to additional stakeholders for review, with an emphasis upon alcohol beverage licensees, who were asked to identify any additional practices that might be added to the reports. These responses were then reviewed by the two committees, which in turn revised the report and circulated it to additional stakeholders for their review. The current version of the report reflects those critiques and suggestions.

Section 2 Owner / Manager Supervisory Practices

Managers are the key to effective RR. Training programs instruct doormen and staff who sell or serve alcohol how to identify high-risk situations, how to prevent them when possible and how to react. Nevertheless, whether staff employ the techniques they have been taught depends on reinforcement by persons in a supervisory capacity and if management employ those techniques themselves. Continually discussing the importance of following RR practices with staff is the surest way for managers to avoid the penalties and liabilities—for themselves, their staff, their customers and their communities—that are associated with under 21 sales and over-service. Having a strong, consistent, comprehensive alcohol plan in place can be the difference between violations and no violations, and avoidance of lawsuits.

Prevalent Practices

- Management tracks a new employee's date of hire and date of all training through a written record. Results of compliance checks by law enforcement, and mystery shop inspections conducted by the establishment, are recorded in the employee records with date and initial training.

- Owners/managers meet one on one with new employees to conduct or review training, including house policies.

- Regular staff meetings include review / reinforcement of RR policies.

Noteworthy Practices

- Reminders for staff at shift changes of the date which an individual must be born to be eligible to purchase alcohol. Giving tips on how to prevent patron over service, how to identify a patron who may have entered the business already intoxicated, under the influence of other drugs, or who may be habitually addicted to alcohol. Also communicated at shift change and on bulletin boards are times of the year that may lead to an increase in under 21 or 3rd party purchase attempts (e.g. prom nights, homecomings).

- Offering rewards for an individual staff member or the entire staff when an under 21 compliance check conducted by enforcement is passed. Rewards range from (1) praise— verbal recognition during staff meetings and trainings, acknowledgment in an employee newsletter, a letter or certificate of accomplishment for inclusion in employee's personnel file, (2) intangible rewards—like being placed on preferred day / shift work schedules or assigned preferred parking, to (3) tangible rewards--like receiving a cash bonus or gift card.

- The manager's own performance evaluations and compensation, including bonuses, are based in part by the compliance record of the establishment.

- Mystery Shops—inspections by legal-age customers who look young enough to trigger the establishment's ID-checking requirement—provide managers with feedback on how well staff are following the age-verification policy.

- Inspections by pseudo-intoxicated mystery shoppers can also provide managers with feedback on how well staff members are following house policies on the prevention of sale and service to intoxicated and habitually addicted patrons.

- Owners/managers establish written alcohol service policies and procedures. These written policies and procedures codify the business philosophy and provide guidance and reinforcement to employees assuring compliance with responsible retailing practices. The written alcohol service policies and procedures are provided to each employee to serve as a quick reference guide and periodic review. Training, retraining and management interaction with employees are written into alcohol service policies and procedures.

- Video tapes are used to review a recent incident not only to determine what actually happened but also as a teaching tool for staff.

- Owners especially, but managers as well, will make random, unannounced visits to the premises to insure that on-duty staff are complying with laws and house policies.

- Instructing doormen and any staff that sell or serve alcohol on when and how to verify age and refuse under 21 sales, how to recognize signs of intoxication and identify habituation, refuse service of alcohol to intoxicated patrons, and when and how to alert managers and police.

- Establishing and maintaining a strong, comprehensive, written alcohol plan to curb violations and liability.

Discussion

Frequency of RR review / reinforcement: Although reviewing RR policies and procedures is prevalent, the frequency varies widely. Some licensees hold weekly meetings, others hold meetings as needed (if a problem or issue arises). A best-case scenario is training as a preventative measure.

Video: There appears to be under-utilization of video by employers of their staff's interactions and sales. On occasion, video is used to review an incident that occurred inside the business in order to determine what actually happened but it can also function as a teaching tool for staff.

Video is generally used to monitor the POS systems and entry doors for robbery and theft prevention. Additional cameras can be added to capture employee actions for utilization in management and retraining activities. Consideration should be given to how long the video needs to be retained to be useful. Off-premises video retention seems to be about 15 days on average.

Owner/Manager Training: There was strong consensus among the report committee that training specifically for owners and managers was important and necessary. At present, there appears to be little training targeted to owners and managers in alcohol-related businesses. There are some national programs for responsible alcohol service and general management of those services, but very little available specifically targeted to a state or counties alcohol laws or

type of business operation (e.g. managing a club or multi-use venue). Both Montgomery County, Maryland and Pennsylvania currently conduct a voluntary owner/manager curriculum that is mandatory if the licensee is cited for an alcohol violation. Virginia also has training programs aimed at managers. Florida requires specific training for managers in the development of policies under its Responsible Vendor Act. Part of the rationale for owner / manager training is to insure that supervisors have received the same training that servers and doormen receive. Would all states benefit from a manager training?

Shadowing: A significant portion of on-premises licensees train new employees through an on-the-job training program during which the new employee shadows an existing employee. More often than not, the senior employee is providing the training without the benefit of a training program or outline. As a result, the trainer often misses the opportunity to present certain information. In addition, the trainer has as much opportunity to provide incorrect and misguided information as appropriate information. The use of a training outline helps prevent the provision of incorrect information and helps prevent the omission of needed information.

Policy templates: Policy templates can be of great assistance to businesses who may not know where to start or what should be included in their house policies. (e.g. house policies, ID checking, recognizing visible signs of intoxication, techniques for intervention and how to cut off alcohol service to a visibly intoxicated person) The licensee can select and adapt the policies for the particular needs of their business.

Section 3 Hiring Practices

Responsible Retailing begins in the hiring process. Discussing the consequences of violating the alcohol sales laws and the store's policies impresses upon the applicant the importance of refusing sales to youth under the age of 21 and intoxicated individuals; This discussion can be viewed as the first stage of employee training. The hiring interview is also an opportunity to determine if the applicant has the necessary skills to read an ID and to weigh their commitment to preventing illegal alcohol sales. In addition, unless independent background checks are conducted for each applicant, the hiring interview is a means to identify individuals who should be disqualified from serving alcohol or who show an aptitude for knowingly or unknowingly committing a violation.

Prevalent Practices

In the initial interview with a job applicant, the interviewer explains:

- o Laws relating to under 21 drinking and service to visibly intoxicated customers

- o Penalties under state/local laws for staff who sell alcohol to youth under the age of 21

- o Employment consequences for not complying with laws and house policies relating to the sale of alcohol to youth under the age of 21.

Noteworthy Practices

- The interviewer asks the job applicant to demonstrate math and reading skills by reading an ID to determine age.

- The interviewer inquires whether the job applicant has any prior violations of alcohol sales laws or prior DUI or alcohol-related violations. (See Background Checks, below.)

- In jurisdictions in which this information is available, the licensee contacts the local liquor control authority to check whether potential employees who will sell or serve alcohol have previous liquor law violations on record. (See Background checks, below.)

Discussion

Background checks: Background checks are recommended for new hires and are a prevalent practice for chains. However, a mechanism for conducting background checks is not always available. If the mechanism is available, background checks should be conducted. They will reveal whether the applicant has been cited for violations of alcohol sales laws or for alcohol-related accidents / injuries—as well as other information about the applicant that may weigh significantly in the decision to hire or not. If a mechanism for conducting background checks is not available, the interviewer should ask the applicant explicitly about violation history and conduct reference checks and employment verification. The hiring supervisor/employer should set standards / perimeters in advance, as to whom they will employ.

Related topics: Although licensees routinely address the importance of checking IDs and refusing to serve youth under the age of 21, with job applicants, licensees are not as likely to

consistently review refusing service to intoxicated customers and habitually addicted individuals, high risk behaviors and trends at the time of hire. Addressing this information through the hiring process clearly conveys the company philosophy in these areas prior to the employee beginning work.

Section 4 Training and Point-of-Sales Practices

Comprehensive training provides staff with knowledge of the alcohol laws and the establishment's responsible policies to comply with these laws as well as the skills to engage customers in a non-confrontational manner. Training is an integral part of developing a successful work culture. Standards should be determined at the start of employment for staff and patrons. Training determines what is acceptable behavior for employees and patrons and defines expectations of staff members in the many different situations they will encounter with customers. Training can consist of a Responsible Beverage Service (RBS) program or other more specific alcohol training made to complement RBS trainings. A solid training program can be a strong factor in demonstrating reasonable efforts to protect customers and the community with regards to a state's Dram Shop* and civil responsibility / liability issues. * *Note-Dram Shop is not applicable in every state.*

Prevalent Practices

- Staff is trained in Responsible Beverage Service (RBS).

- Training occurs before staff members are permitted to sell alcohol and continues throughout their term of employment.

- Managers and supervisors are also trained in RBS and additionally trained in supervisory responsibilities and alcohol management practices (see Section 5 Supervisory Practices).

    RBS training topics typically include:

    - Risks of under 21 alcohol use
    - Local and state alcohol laws and regulations
    - Penalties for violations
    - The age that triggers an ID check
    - Acceptable forms of ID
    - Detecting false and fraudulent ID
    - When to request a secondary ID
    - When to refuse service
    - How to recognize signs of intoxication and high-risk behavior
    - Techniques for monitoring consumption
    - Refusing service in a non-confrontational manner
    - Handling potentially violent or confrontational situations or illegal activities and when to involve managers
    - When and how to maintain a written log to document an unusual occurrence and when to involve police
    - Pre and Post training testing, used to insure that the RBS has been successfully understood by the employee
    - Role-playing to help employees practice their skills

    Point-of-Sale support tools available for staff include:
    - A legal age calendar

- 50-state Drivers License Guide
- Signage indicating that IDs will be requested
- ID card scanners.

Noteworthy Practices

- Liquor boards further explain alcohol laws and regulations for licensed facilities. Making regulations readily available and easily understood offers licensees clear information and materials to use in training staff.

- Policies and procedures that staff are expected to follow are written and available for staff to review.

- Staff members are required to sign an agreement or pledge acknowledging that he or she fully understands local/state laws, regulations, and licensee policies.

- Role-playing on how—in a professional, non-confrontational manner—to a) request an ID and deny a sale, and b) engage a customer in conversation to detect possible intoxication and refuse service to an intoxicated customer, is important. Role-playing enables the newly hired staffer to overcome the awkwardness of asking a customer to furnish an ID or refusing service.

- Reviewing individual segments/modules of RBS throughout the year by including them in staff meetings.

Discussion

Policy Review: Licensees can reach out to the local liquor board and / or law enforcement agency to see if they are available to consult with the owner or manager on house policies.

When training should occur: A five-year review of violations in Oregon for alcohol sales to minors and visibly intoxicated persons showed that the highest incidence of these violations occurred in the first year of employment. Research conducted by North Carolina Alcohol Law Enforcement has similarly shown that newly-hired employees are far more likely to sell alcohol to an under 21 customer than experienced staff. It is recommended that staff are trained *before* being allowed to serve alcohol. If training is segmented—for instance, if a new hire receives in-person training by a manager, followed by in-depth training later—that employee should be carefully monitored.

Periodic Review of Training: Training should be seen as on-going. Some states require that RBS be repeated every two or four years both as a refresher and as a means of staying current with laws and policies. Recertification varys greatly from state to state. Further training from local entities may be available at no cost to fill in the gaps.

Training modalities: (a) In-person classes taught by an instructor, (b) online training programs, and (c) computer-based training programs are all widely in use. The different training modalities employed in RBS seem to reflect the types of business. Chains with human resource depart-ments and in-house training programs may have more sophisticated training with multiple modalities (video and/or PowerPoint; interactive computer training programs; live instructor

presentations). Computer and/or web-based programs may be used when in-person classes are unavailable or offered infrequently.

Connecting training to point-of-sales practices: Frequently, establishments depend upon an third-party vendor to provide RBS training. Generally, when a third-party RBS provider conducts training, there is a potential concern about the "hand-off" from the RBS provider to the licensee: Do managers and supervisors reinforce the practices taught in RBS (e.g. what apparent age of a customer should trigger an ID check)? Are any changes made by the licensed establishment to the policies and practices taught in RBS identified in a written policy? Similarly, managers and supervisors should instruct staff on additional policies, point-of-sales practices and local regulations that may not have been addressed in the RBS program. [2]

The value of a server tracking system: In some states, an individual who completes an approved RBS program receives a certificate (or "server permit" or "[server] license") that allows that individual to serve alcohol in a licensed establishment in that state. Certification may also fulfill a state requirement to have an RBS-trained person of manager on the premises. The certificate may be valid for a period of time and/or until a violation, e.g. sales to youth under 21 or an intoxicated customer, leads to a suspension.

However, in most states, an individual cited for sales to youth under 21 or intoxicated customer is free to continue to serve alcohol; and, if terminated by the licensee for an alcohol sales violation, that individual is free to serve alcohol for another employer. Would licensees and the public be better served by a system which requires the individual server to be certified in an RBS program and for violations of alcohol sales laws to lead to a suspension of that certification (and thus inability to work as a server) and/or a mandate that the individual take additional training?

One concern about instituting a certification process is that this may lead beverage retailers to believe that responsible beverage service is an individual employee's, rather than a managerial, responsibility and may lead managers to neglect additional training or management intervention because the staff member is certified.

Section 5 Security Practices

Licensed beverage establishments play an important role in the social and economic life of a community. But because of the unique nature of alcohol and its effects upon the human body, serving establishments that do not follow RR practices can pose a high risk. The harm of drinking upon the still-developing brain, and the tragedies caused by youth who are under 21 and driving under the influence, have correctly focused attention upon the importance of preventing under 21 sales and service. The effects of excessive consumption are important for adults and are associated with sexual assault, domestic violence, aggravated assault, burglary, robbery and other crimes. This is why security practices and policies should be a priority to owners and managers of on-premises establishments.

A comprehensive security plan for interior / exterior security typically includes policies for

- The handling of intoxicated customers**:** The goal is never to serve any customer to the point of intoxication. But should a customer become intoxicated, or arrive already intoxicated, a plan should be in place for staff conduct in that situation.

- Escalation of incidents and appropriate protocol**:** Creating a plan that outlines when incidents should be brought to the attention of a manager or when law enforcement should be contacted can help alleviate a potential problem.

- When to complete an incident report**:** The tracking of incidents is a very important part of proving reasonable effort and can serve as evidence in a crime.

  Incident logs provide owners with valuable information about the operation of the business and their employees that can be used to adapt their business practices and head off potential problems. Incident logs offer defenses against negative situations and provide data for positive enhancements to the business. Incident logs are kept for the number of years corresponding to the individual state's dram shop or tort law/civil re-sponsibility law. [Note: Tort law refers to proving a civil responsibility or duty was present and the person failed to exercise the standard of care that a reasonable person would render.]

- Operational standards: This includes appropriate staffing ratios, equipment and the environmental design necessary to effectively carry out the required security practices.

Prevalent Practices

- Law enforcement is called for assistance when a customer who has been asked to leave refuses to do so or if an intoxicated customer is leaving the bar and has refused offers of an alternate ride home.

- Alternative transportation home is provided for customers who have become impaired. Note that providing for safe transportation home does not justify over-service.

Noteworthy Practices

- Keeping an banned or "86" list, a list of customers who are no longer allowed to return to the business, either for that night or permanently, because they continually cause a

problem. In addition, the beverage retailer will develop a process through which the employees can determine if a person is on the "86" list.

- Owners in some communities have established a phone tree with neighboring serving establishments and an agreement to alert each other when they ban or "86" a problem customer. Customers that are turned away at one place are likely to seek alcohol at another. The alerts could include minors trying to obtain alcohol or intoxicated customers who refuse alternative transportation home and walk out the door.

- The use of a doorman will depend on the specific licensed establishment. They can be very useful in maintaining order, screening who enters, and enforcing house policies. Evaluating the activities of a business can help determine if a doorman is warranted. Having a doorman check IDs at the entrance does not necessarily relieve the server of the obligation of verifying age, depending on the state.

- Designated driver and holiday taxi programs are offered to patrons. Keep in mind that having a designated driver program does not mean that over-service of the other customers in the party is allowable. Some establishments reward a designated driver with non-alcoholic beverages or a discount on food items.

Discussion

When to Alert Law Enforcement: Many licensees are concerned about calling the police for assistance in addressing problematic situations because they fear that their call will be treated as an *incident* instead of a *call for assistance* and will be held against them. This underscores the importance for licensed establishments to have a relationship with law enforcement before there is a problem and to share a common understanding of how such calls are viewed (See section 6 Community Relations). Beverage retailers will utilize police services proactively when they believe that law enforcement is focused on assisting them and their customers comply with the law. An environment that embraces the community policing philosophy of collective partnership and problem-solving is imperative.

Phone tree: The phone tree is an interesting and potentially valuable tool. Phone trees have been in existence for many years, especially in areas with small numbers of license holders, to allow businesses to call one another about unruly patrons and impaired customers floating from bar to bar. Note, however, that often the same phone tree is used when the Liquor Investigator is in town conducting inspections.

Proactive vs. Re-active: How do we encourage businesses to take a proactive approach to security instead of reacting to problems as they occur? Crime prevention philosophy functions off the crime triangle. The three sides represent the *desire* to commit the crime, the *ability* to commit the crime, and the *opportunity* to commit the crime. If proactive safety and security practices remove the *opportunity* for crime or incidents to occur, the triangle collaspes.

Section 6 Community Relations

Connecting with community stakeholders—including coalition groups, local boards, PTA's and councils, hospitality groups and community services offices—provides the license holder with a means to better connect with fellow citizens, law enforcement and their licensing boards. When licensees work closely and cooperatively with public health and safety stakeholders—and, of course, with law enforcement, and licensing/regulatory agencies—to address alcohol concerns, licensees are more apt to be regarded as part of the "solution" than as the "problem." This allows for issues to be addressed more effectively as they occur.

Prevalent Practices

- Communicating the establishment's responsible retailer policies to the public. Posting RR policies within the establishment where they may be viewed by the public, and/or communicating those policies to the community organizations, coalitions or through media, conveys that the business takes steps to insure compliance with the law and is sensitive to the concerns of the community. Alcohol polices can also be posted in an inconspicuous manner such as on a drink menu or place card. Posting policies, e.g. that the establishment requires an ID of every customer under the age of 35, or uses an ID verification system or a surveillance system, may also deter attempted under 21 and third-party purchases.

- Collaborating with licensing agencies and law enforcement is more prevalent for those license holders who are more a nightclub and tavern-type business, with a higher pertage of alcohol to food sales, and less prevalent for those businesses that are more geared toward food and less toward alcohol.

Noteworthy Practices

- Participating in training sends a positive message to both the establishment employees and the community.

- A licensee requesting training materials, signs for posting and participating in an educational campaign by their liquor authority. (e.g. agreeing to use educational coasters provided by the liquor authority) builds positive community relations.

- Sponsoring local sports teams in local leagues and offering to host fundraisers for community groups. Both build good will, both associate business names with positive community efforts, and both potentially bring more customers into the business.

- Regulatory agencies reach out to local establishments in a proactive manner.

- Regulatory agencies pair up with sales representatives to distribute educational alcohol messages and materials.

- Local screen printing businesses sign a pledge to not print senior kegger t-shirts or related products in their community

Discussion

Survey responses: The survey on Community Relations received few responses. This in part reflects that many respondents—training programs, providers and regulators—do not address the licensee's relationship with the community. But it may also reflect that community relations have not routinely been considered by licensees as an aspect of Responsible Retailing or that occurrences are second nature and simply not considered by establishments as public relations.

Coalition involvement: Retailers can be understandably cautious when meeting with community organizations since they, the retailers, can be viewed as the source of a community problem. Clearly, early building of trust is key to breaking down barriers and stereotypes.

Responses to these same questions from active community coalitions to gauge their thoughts on these topics is necessary so responsible practices can be identified and developed.

Community involvement: Retailers involved in local hospitality groups that encompass many stakeholders have success in bringing many groups together. Hospitality minded groups exist nationwide and can be developed as needed.

It is up to licensees to understand the local marketing laws governing alcohol promotion. Reaching out to local Department of Liquor Control boards for this information is one way to gather this type of information to share with management.

Retail associations can also seek out prevention groups and collaborate with them on their efforts. Associations can be a great resource for local groups that do not totally understand the liquor laws or the industry. Most association members are willing to work with local or state prevention groups on campaigns to prevent under 21 drinking and drunk driving.

The alcoholic beverage industry is a separate community and largely functions in that regard. Within the alcoholic beverage community, there are leaders and followers, early adapters and nonparticipants, retailers and wholesalers. A focus on the development of a comprehensive and collective alcoholic beverage industry community could be very effective in achieving industry compliance and positively changing industry norms. Inviting sales representatives to the table is a great first step.

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[1] Downloadable at www.rrforum.org under "Reports"
[2] Inconsistencies between RBS content and licensee policies may be less of a concern in the few states in which the RBS program is provided by the state, or the content of RBS programs is defined or approved by the state, and for chains and independent licensees that send in-house staff to be trained as trainers for an RBS program.
Appendix iii

Other policies for consideration in a security plan, may not relate to alcohol per se, include:

- Fire safety precautions: Initially, a business would have been required to pass a fire marshal inspection prior to opening. Continuing a dialog with local fire marshals and including a policy to check emergency exits on a monthly basis for proper function and accessibility is proactive.

- Monitoring Entrances: The more entrances a business has, the less control they have over who enters. Consider using one main entrance, subject of course to local

fire codes which may dictate how many exits there must be. All doors are checked to ensure proper functioning on at least a monthly basis.

- Isolated High Risk Policies:

    Use of force policies: A policy can help to set a level of expected behavior allowed in a business and can prevent future problems with lawsuits*.*

    Procedures for dealing with drug use and trafficking on the
    Premises: Ignoring these types of problems inside and outside of a business can attract undesirable behavior and individuals to a business.

    Medical situations: This can help to alleviate potential civil liabilities stemming from medical incidents. This section typically includes the level, if any, of medical assistance allowed by employees, i.e. CPR or the Heimlich Maneuver.

- Video: Using security cameras in parking lots can be a useful tool to monitor the activities outside a business. A business can be held responsible or liable for what happens outside the premises or in the immediate vicinity. Security cameras inside can be a helpful tool for law enforcement to identify a customer if an incident occurs. Security cameras can also help verify that the establishment took a reasonable effort to maintain safety.

- Clear line-of-sight: A clear line-of-sight out and in windows is an important safety issue. Employees should be able to see clearly out windows to observe what is going on outside, as well as, provide a clear view to the inside of the business for passing law enforcement. Local laws often dictate policies on window coverage.

- Minimum staff: For the safety of employees, inclusion of a policy calling for a set ratio of staff to patrons. When leaving the establishment at night, employees leave in pairs for safety.

- Money deposits: Money deposits are regularly carried out by an armored car pick up service or by an owner or manager. A policy for deposits should include: Varying the day of week and time of day that money runs are conducted, use of a non-obvious money bag, keeping money run schedules confidential from employees, and taking alternate routes to the bank if possible. Also, consider scanned checks, electronic deposits when possible and keeping up with technology offered by the bank.

- Lighting: A policy recommending a lighting check, conducted at least once a month, where broken or missing light bulbs be replaced. The inside of a business is just as important when it comes to lighting. Additionally, proper lighting maintenance is in-cluded in all areas leading to and from parking.

- Loitering signage: Posting no loitering signs that state the law and enforcing those laws can help keep unwanted activity out of a business.

- Security: The use of security will depend on the specific type of business. They can be very useful in maintaining order, screening who enters and enforcing certain house policies. Evaluating the activities of a business can help determine if their use

is warranted. Never assume that a security guard has had formal training. Be diligent in training all security staff on the establishment's policies.

- <u>Increased Communication</u>: Certain areas of a business may benefit from having a landline phone installed for emergencies. These areas nclude places where a register is present, behind a bar, manager's office, back room, cash room, and employee break/lunch room. This will increase an employee's or customer's ability to call for help if an incident occurs. Likewise, all doormen and any other security should be able to talk to each other and contact service staff quickly via radios or cell phones.

- <u>Alarm systems</u>: Alarm systems are another security feature. Some common features are a break-in notification system or a panic alarm or both. Properly training all employees in the activating and de-activating of the system is important. Decide what type of system will work best for the needs of your establishment.

- <u>Safe ride programs</u>: Keep in mind that having a designated driver program does not signify that over service is allowable to the other customers in the party. The program can include rewarding designated driver with non-alcohol beverages or discount on food item. Reach out to taxi companies to inform them of dates of high capacity events so they can make themselves available to patrons via extra cars or taxi stands. Also, seek out local programs that offer free taxi rides during high-risk holidays.

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[1] citation
[2] citation